

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

ROSHANDA FOSTER,

Plaintiff,

v.

LEGACY KEYS, LLC, et al,

Defendants.

**CIVIL ACTION
FILE NO. 1:17cv01690-WSD**

MOTION TO AMEND NOTICE OF REMOVAL

COMES NOW Legacy Key, LLC (*who has been improperly named in the caption of the Complaint as Legacy Keys, LLC*), and respectfully requests leave to amend its Notice of Removal to specifically allege the citizenship of the individual members of the various LLCs.

After the 30-day removal period, a defendant may amend its removal petition with leave of court, pursuant to 28 U.S.C.S. § 1653, which provides that defective allegations of jurisdiction may be amended, upon terms, in the trial or appellate courts.

Here, while Legacy Key alleged the residency of all of the individual members - California - it did not allege their citizenship. All of the individual

members are residents and citizens of California. As all of the original Defendants and the members of the LLCs are diverse from Plaintiff, this Court has jurisdiction over this matter.¹

Therefore, Legacy Key respectfully requests the opportunity to correct this technical defect.

Respectfully submitted this 13th day of June, 2017.

**HAWKINS PARNELL
THACKSTON & YOUNG LLP**



303 Peachtree Street, N.E.
Suite 4000
Atlanta, Georgia 30308-3243
(404) 614-7400
(404) 614-7500 (facsimile)
skeith@hptylaw.com
eream@hptylaw.com

C. Shane Keith
Georgia Bar No. 411317
Elliott C. Ream
Georgia Bar No. 528281
Counsel for the Defendants

¹ Legacy Key and the other Defendants will be moving to strike the portions of the Amended Complaint which purport to add Ms. Greenway.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

ROSHANDA FOSTER,

Plaintiff,

v.

**LEGACY KEYS, LLC; 1250 NORTH
INVESTMENTS LLC, WATKINS
REALTY SERVICES, LLC;
INVESTORS MANAGEMENT
GROUP, INC.; OAK COAST
PROPERTIES, LLC and JOHN
DOES #1-5,**

Defendants.

**CIVIL ACTION
FILE NO. 1:17cv01690-WSD**

**CERTIFICATE OF SERVICE and
CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 5.1(C)**

This is to certify that I have this day served counsel in the foregoing matter with a copy of the foregoing MOTION TO AMEND NOTICE OF REMOVAL by use of the Court's ecf system, which sends notification of filing and a copy of the filing to the following:

Keith N. Evra keithevra@gmail.com

Matthew B. Stoddard matt@thestoddardfirm.com

I further certify pursuant to Rule 7.1 of the Local Rules for the Northern District of Georgia that this document has been prepared in “Century Schoolbook” font, 13 point, as required by Local Rule 5.1(C).

Respectfully submitted this 13th day of June, 2017.

**HAWKINS PARNELL
THACKSTON & YOUNG ^{LLP}**



303 Peachtree Street, N.E.
Suite 4000
Atlanta, Georgia 30308-3243
(404) 614-7400
(404) 614-7500 (facsimile)
skeith@hptylaw.com

C. Shane Keith
Georgia Bar No. 411317
Counsel for the Defendants